

OFFICE OF THE CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
280 SOUTH FIRST STREET, ROOM 2112
SAN JOSE, CALIFORNIA 95113-3095

FILED

JAN 20 2022

CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA
SAN JOSE OFFICE

JANUARY 13, 2022

TO: THE HONORABLE EDWARD J. DAVILA

SUBJECT: EXTENSION OF TIME TO OPPOSE DEFENDANT'S
MOTION FOR SUMMARY JUDGEMENT

DEAR YOUR HONOR,

I AM RESENDING THIS REQUEST FOR EXTENSION
OF TIME TO OPPOSE DEFENDANT'S MOTION FOR SUMMARY
JUDGEMENT BECAUSE I BELIEVE THAT MY FIRST LETTER
DID NOT HAVE MY CASE #, ALSO I WAS NOT ALLOWED TO
MAKE A VISIT TO THE LAW LIBRARY YET TO LOOK UP THE
RULES OF COURT, WE ARE ON MORE RESTRICTIVE MOVEMENT
DUE TO MORE POSITIVE COVID CASES.

TO DATE I HAVE NOT RECEIVED MY PAPERWORK OR
PLU STATUS BACK FROM THE LIBRARY, I AM ALSO
ENCLOSING THE NEW MODIFICATION ORDER, THANK
YOU FOR TAKING THE TIME TO READ THIS LETTER.

F-27522
SINCERELY, MICHAEL NICKERSON
SAN QUENTIN STATE PRISON SN-66L
SAN QUENTIN, CA 94974
CASE # NO. 5:20-CV-06326-EJD

2 EXHIBITS ENCLOSED

EXHIBIT 1

ATTACHMENT A

STATE OF CALIFORNIA
CDCR 3022A (REV. 03/14)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

DAILY PROGRAM STATUS REPORT PART A – PLAN OF OPERATION / STAFF & INMATE NOTIFICATIONDescribe only this reporting period's specific Plan of Operation
Upon completion, distribute to ensure all staff and inmate awareness

PLAN EFFECTIVE FOR DATE: January 13, 2022		INSTITUTION: CSP- San Quentin	PROGRAM STATUS NUMBER: SQ-II-22-001
<input type="checkbox"/> NORMAL PROGRAM	<input checked="" type="checkbox"/> MODIFIED PROGRAM	<input type="checkbox"/> LOCKDOWN	<input type="checkbox"/> STATE OF EMERGENCY <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
<input type="checkbox"/> INITIAL	<input checked="" type="checkbox"/> UPDATE	<input type="checkbox"/> CLOSURE	
RELATED INFORMATION (CHECK ALL THAT APPLY)			
AREA AFFECTED		INMATES AFFECTED	REASON
<input checked="" type="checkbox"/> INSTITUTION: CSP-San Quentin		<input checked="" type="checkbox"/> ALL	<input type="checkbox"/> BATTERY
<input type="checkbox"/> FACILITY:		<input type="checkbox"/> SECURITY THREAT GROUP(S):	<input type="checkbox"/> DEATH
<input type="checkbox"/> HOUSING UNIT:			<input type="checkbox"/> RIOT / DISTURBANCE
<input type="checkbox"/> HOUSING LEVEL:			<input type="checkbox"/> THREATS
<input type="checkbox"/> OTHER:		<input type="checkbox"/> OTHER	<input type="checkbox"/> CONTINUING VIOLENCE
			<input type="checkbox"/> MEDICAL QUARANTINE:
			<input checked="" type="checkbox"/> OTHER: COVID PRECAUTIONS
MOVEMENT		WORKERS	DAYROOM
<input type="checkbox"/> NORMAL		<input type="checkbox"/> NORMAL	<input type="checkbox"/> NORMAL:
<input checked="" type="checkbox"/> ESCORT ALL MOVEMENT		<input checked="" type="checkbox"/> CRITICAL WORKERS ONLY- N95 and PPE required	<input checked="" type="checkbox"/> NO DAYROOM ACTIVITIES:
<input type="checkbox"/> UNCLOTHED BODY SEARCH PRIOR TO ESCORT		<input type="checkbox"/> CULINARY	<input checked="" type="checkbox"/> MODIFIED: H-Unit
<input type="checkbox"/> IN RESTRAINTS		<input type="checkbox"/> CLERKS	
<input type="checkbox"/> CONTROLLED MOVEMENT		<input type="checkbox"/> VOCATION/EDUCATION	RECREATION
<input type="checkbox"/> OTHER:		<input type="checkbox"/> CANTEEN	<input type="checkbox"/> NORMAL
		<input type="checkbox"/> CLOTHING ROOM	<input type="checkbox"/> NO RECREATIONAL ACTIVITIES:
			Yard Release by housing unit
FEEDING			<input checked="" type="checkbox"/> MODIFIED: unit
<input type="checkbox"/> NORMAL		<input type="checkbox"/> RESTRICTED WORK PROGRAM	
<input checked="" type="checkbox"/> IN- DORM FEEDING- Facility B		<input checked="" type="checkbox"/> PORTERS N95 and PPE required	
<input checked="" type="checkbox"/> CONTROLLED FEEDING IN DINING ROOM		<input type="checkbox"/> NO INMATE WORKERS	CANTEEN
<input checked="" type="checkbox"/> HOUSING UNIT/DORM AT A TIME		<input type="checkbox"/> OTHER:	<input type="checkbox"/> NORMAL
<input type="checkbox"/> DORM / POD AT A TIME		<input type="checkbox"/> NORMAL	<input type="checkbox"/> NO CANTEEN
<input type="checkbox"/> TIER AT A TIME		<input type="checkbox"/> ESCORTED	<input checked="" type="checkbox"/> MODIFIED: By housing unit
<input type="checkbox"/> HOUSING UNIT SECTION AT A TIME		<input type="checkbox"/> ONE INMATE PER SHOWER – OWN TIER	PACKAGES
<input type="checkbox"/> SACK MEAL BREAKFAST		<input checked="" type="checkbox"/> TIER SEPARATED BY BAR – OWN TIER	<input type="checkbox"/> NORMAL
<input type="checkbox"/> SACK MEAL LUNCH		<input type="checkbox"/> DORM SHOWERING BY GROUP	<input type="checkbox"/> NO PACKAGES
<input type="checkbox"/> SACK MEAL DINNER		<input checked="" type="checkbox"/> CRITICAL WORKERS ONLY	<input checked="" type="checkbox"/> MODIFIED: By housing unit
DUCATS		<input type="checkbox"/> NO SHOWERS	PHONE CALLS
<input type="checkbox"/> NORMAL		HEALTH CARE SERVICES	<input type="checkbox"/> NORMAL
<input checked="" type="checkbox"/> CLASSIFICATION DUCATS- Microsoft Teams		<input type="checkbox"/> NORMAL PROGRAM	<input type="checkbox"/> NO PHONE CALLS
<input checked="" type="checkbox"/> PRIORITY DUCATS ONLY		<input checked="" type="checkbox"/> PRIORITY DUCATS ONLY	<input checked="" type="checkbox"/> LEGAL CALLS
<input type="checkbox"/> OTHER:		<input type="checkbox"/> CONDUCT ROUNDS IN UNITS	<input checked="" type="checkbox"/> MODIFIED: CLEANING BETWEEN USES
VISITING		<input checked="" type="checkbox"/> ESCORTED TO TREATMENT AREA	RELIGIOUS SERVICES
<input checked="" type="checkbox"/> NORMAL VIDEO VISITING		<input type="checkbox"/> EMERGENCY ONLY	<input type="checkbox"/> NORMAL
<input type="checkbox"/> NON-CONTACT ONLY		<input checked="" type="checkbox"/> MEDICATION DISTRIBUTION	<input checked="" type="checkbox"/> CHAPLAINS CONDUCT ROUNDS
<input checked="" type="checkbox"/> NO GENERAL VISITING		LAW LIBRARY	<input type="checkbox"/> MODIFIED:
<input checked="" type="checkbox"/> LEGAL VISITING- Urgent/emergency via phone or video conference			
<input type="checkbox"/> OTHER:		<input type="checkbox"/> NORMAL	
		<input checked="" type="checkbox"/> PLU <input type="checkbox"/> GLU	

EXHIBIT-2

ATTACHMENT A

STATE OF CALIFORNIA
CDCR 3022A (REV. 03/14)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

REMARK: On Sunday, January 9 2022, the California Department of Corrections and Rehabilitation has implemented statewide program modifications and directed all institutions to develop local modifications to reduce staff and inmate staff exposure to the coronavirus (COVID-19), within its facilities. Hence, out of an abundance of caution to protect the health and well-being of staff and the offender population, these extraordinary measures have included statewide modifications/suspension of all rehabilitative groups, education and vocation classes, religious gatherings, in-person visiting, family visits, and other programs/gatherings that inhibit social distancing (recommended 6ft between individuals). Locally, Facility A will feed in the dining hall. Two (2) inmates per table. Tables shall be cleaned in between use. H-unit will have in-dorm feeding. H-Unit Dorm inmates are allowed modified dayroom, with a maximum limit of 10 individuals at a time, to be monitored by Dorm staff, who will enforce 'Social Distancing' in common areas. Leisure and Law Library are facilitated via the PLU/paging system. Medication Distribution will continue at pill pass, with an emphasis on social distancing. All housing unit healthcare rounds, to include the collection of CDCR Form 7362, will be noted in the housing unit logbook by healthcare staff. Medical appointments will be reviewed by medical and will be based on medical necessity. When escorted to the CHSB, inmates that display symptoms shall wear mask, and be kept in separate waiting areas, away from the rest of the inmate population. All other escorts/groups are to remain separated by group, from inmates in other housing units. Only critical workers assigned to HFM, Food Services, Canteen, PIA Warehouse, PIA and R&R, when requested, shall be released to work assignments, after being screened by housing unit. Phones, including non-confidential legal phone calls, shall continue with cleanings between individual uses. Arrangements for confidential legal calls (reserved for actual BPH hearings and emergent issues involving important legal rights) shall be coordinated through the Litigation Coordinator's Office. Shower groups are separated by bars (front/back), with a continued emphasis on social distancing, with cleanings between each individual use. Critical Workers are allowed daily showers when returning from work assignments. Outside recreational activity will be on a rotating basis on the Lower Yard by housing unit. See attached schedule.

Quarantine Precautions: Quarantine units will follow the general COVID precautions stated above with following exceptions: No inmate workers shall be released to their work assignments. Quarantine units will be kept separate waiting areas away from the rest of the inmate population. Canteen and packages will be delivered to the cell front / dorm. Laundry exchange will be done at the cell front / dorm. Inmates housed in quarantine will be escorted separately, and kept in separate waiting areas away from the rest of the inmate population at all times. virus.

On Thursday, January 13, 2022, Alpine is on medical quarantine due to inmates testing positive for the COVID-19 virus. Alpine shall follow the quarantine precautions stated above.

On Thursday, January 13, 2022, Facility B, H-Unit, is on medical quarantine due to inmates testing positive for the COVID-19 virus. H-unit shall follow the quarantine precautions stated above. H-unit shall have outside recreational activity on a rotating schedule (one dorm at a time).

REVIEWED BY: Lt. R. Gardea	DATE: 1/13/22	NAME / SIGNATURE (WARDEN) R. BROOMFIELD, Warden	DATE: 1-13-22	NAME/SIGNATURE (ASSOCIATE DIRECTOR) (REQUIRED FOR INITIAL CLOSURE & STATE OF EMERGENCY) P. COVELLO, Associate Director (A)-Reception Center Mission.	DATE:
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MICHAEL NICKERSON F-77522
SAN JUAN STATE PRISON SN-66L
SAN JOSE, CA 94974

SAN FRANCISCO CA 940

18 JAN 2022 PM 2 L



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SAN JOSE, CALIFORNIA 95113-3085

95113-30857



-ATTN-LEGAL MAIL

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1/12/22
12-2-22

1-16-22

-ATTN-EGG+C MAIL